



January 29, 2008

VIA FACSIMILE & ORDINARY MAIL

Attorney General
Department of Justice
33 Capitol Street
Concord, NH 03301
Facsimile: 603-271-2110

Re: **Wendy's International, Inc.'s Response to Compromise of Personal Information of Employee's Dependents**

Dear Sir or Madam:

We are writing to advise you of a recent incident involving an administrative error by Mercer Outsourcing (Life Choices Service Center), a service provider for Wendy's International, Inc.'s health benefits plan, resulting in the exposure of personal information for some employees' dependents.

Learning About the Breach and Investigating the Disclosure.

On November 29, 2007, Life Choices Service Center experienced an administrative error while printing 2008 Benefit Confirmation Statements. Specifically, the information printed on the 2008 Benefit Confirmation Statement for some Wendy's employees included dependent information for other Wendy's employees. This information included dependent names, Social Security numbers, and dates of birth.

Wendy's did not become aware of the breach until several days after the confirmation statements were mailed, when a number of employees began reporting receipt of incorrect statements. At that time, Wendy's immediately contacted Life Choices and began working with them to determine what had happened and why. On December 21, 2007, Life Choices mailed corrected Benefit Confirmation Statements to those employees who had received statements which included information pertaining to the dependents of other employees. The cover letter which accompanied the corrected statements directed these employees to destroy the incorrect statements that they had previously received.

Total number of Individuals Affected and the Number of Individuals in New Hampshire Affected.

The total number of affected individuals was approximately 1006 (U.S.). The total number of affected individuals in New Hampshire was four.

Department of Justice
January 29, 2008
Page two of two

Communicating with Affected Individuals.

To ensure that the affected individuals could take immediate steps to protect themselves from possible identity theft or other monetary damage, Wendy's will send a communication to adult dependents and to the parent or guardian of minor dependents of affected Wendy's employees by first class mail on January 29, 2008, samples of which are Attachment 1 and 2 to this letter. Wendy's has also engaged Kroll Inc. to provide the affected employees' dependents with access to identity theft safeguards. The communication will also advise the affected individuals to remain vigilant by reviewing account statements and monitoring free credit reports, as well as inform them of the following:

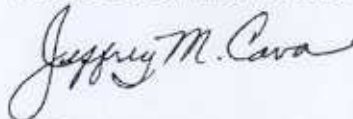
- The incident in general terms.
- The type of personal information that was included on the incorrect statements.
- The steps Wendy's has taken and is taking to protect the personal information from further unauthorized access.
- The telephone number that individuals can call for further information and assistance.
- Information that affected individuals will be receiving a subsequent communication about the identity theft safeguard services offered by Kroll, Inc..

Fortunately, at this time, Wendy's has no specific knowledge that any information contained on the incorrect statements has been misused. We also believe that the services we are offering to our employees' dependents will help them to immediately respond to any threats of identity theft or other misuse of their personal information as a result of this isolated incident.

We hope that this letter and its enclosure provide you with all the information you need. Please let us know if you have further questions or if we can be of further assistance.

Yours truly,

WENDY'S INTERNATIONAL, INC.



Jeffrey M. Cava
Executive Vice President, Human Resources

Enclosures